

Richard D. McCune, SB # 132124
rdm@mwtriallawyers.com
Jae (Eddie) K. Kim, SB # 236805
jkk@mwtriallawyers.com
McCUNE & WRIGHT, LLP
2068 Orange Tree Lane, Suite 216
Redlands, CA 92374
Telephone: (909) 557-1250
Facsimile: (909) 557-1275

Mitchell M. Breit, Esq. (Admitted *Pro Hac Vice*)
mbreit@wdklaw.com
WHATLEY DRAKE & KALLAS, LLC
1540 Broadway, 37th Floor
New York, NY 10036
Telephone: (212) 447-7070
Facsimile: (212) 447-7077

Attorneys for Plaintiffs, VERONICA GUTIERREZ, ERIN WALKER
and WILLIAM SMITH, on behalf of themselves and
all others similarly situated,

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VERONICA GUTIERREZ, ERIN WALKER
and WILLIAM SMITH, as individuals, and on
behalf of all others similarly situated,

Plaintiffs,

v.

WELLS FARGO & COMPANY; WELLS
FARGO BANK, N.A.; and DOES 1 through
125,

Defendants.

Case No.: C 07-05923 WHA (JCSx)

CLASS ACTION

**PLAINTIFFS' ADMINISTRATIVE REQUEST
TO FILE PORTIONS OF PLAINTIFFS'
OPPOSITION TO DEFENDANT'S MOTION
FOR SUMMARY JUDGMENT UNDER SEAL;
SUPPORTING DECLARATION OF RICHARD
D. McCUNE; [PROPOSED] ORDER**

DATE: August 21, 2008

TIME: 8:00 a.m.

DEPT: Courtroom 9, 19th Floor

Judge Assigned: Hon. William H. Alsup

Complaint Filed: November 21, 2007

Pursuant to Civil L.R. 79-5, named Plaintiffs Veronica Gutierrez, Erin Walker, and William
Smith, on behalf of themselves and all others similarly situated, request the Court order that portions of
Plaintiffs' Opposition to Defendant's Motion for Summary Judgment ('Opposition to MSJ'), and certain

1 exhibits attached to the Declaration of Richard D. McCune in Support of Opposition to Defendant's
2 Motion for Summary Judgment ("McCune Declaration") be filed under seal, based on this
3 Administrative Request, the supporting Declaration of Richard D. McCune In Support of Plaintiffs'
4 Administrative Request to File Portions of Plaintiffs' Opposition to Defendant's Motion for Summary
5 Judgment Under Seal ("McCune Admin. Decl."), and a [Proposed] Order, attached herewith.

6 Under Civil Local Rule 79-5, a document may only be filed under seal upon a showing of good
7 cause.

8 Certain portions of the Opposition to MSJ refer to or contain information that was designated as
9 confidential by Defendant Wells Fargo Bank, N.A., pursuant to the Stipulated Protective Order in this
10 case. *See McCune Admin. Decl.* ¶ 2. Plaintiffs are lodging herewith a redacted version of the
11 Opposition to MSJ. *See McCune Admin. Decl.* ¶ 2.

12 Certain Exhibits of the McCune Declaration refer to or contain information that was designated
13 as confidential by Defendant Wells Fargo Bank, N.A., pursuant to the Stipulated Protective Order in this
14 case. *See McCune Admin. Decl.* ¶ 3. Plaintiffs are lodging herewith redacted versions of those exhibits
15 which only partially contain confidential information. For exhibits that consist of entirely confidential
16 documents, good cause exists to seal those exhibits of the McCune Declaration. *See McCune Admin.*
17 *Decl.* ¶ 3.

18 Accordingly, Plaintiffs respectfully request the Court order that certain portions of the
19 Opposition to MSJ and certain exhibits of the McCune Declaration be filed under seal, as specified in
20 the attached [Proposed] Order. Plaintiffs take no position at this time as to whether the information is
21 entitled to remain sealed.

22
23 DATED: July 30, 2008.

McCUNE & WRIGHT, LLP

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25 BY: 

26 Richard D. McCune
27 Attorney for Plaintiffs
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